



US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice

Public Notice Number: 200100154

Date: June 26, 2001

Comments Due: July 26, 2001

In reply, please refer to the Public Notice Number

TO WHOM IT MAY CONCERN:

SUBJECT: Application for a Department of the Army permit under authority of Section 404 of the Clean Water Act to discharge dredged or fill material into waters of the United States, including wetlands, within an unnamed tributary to Laguna Creek, as shown in the attached drawings.

APPLICANT: Craig Nagler
Bond Road LLC c/o Dunmore Homes
2150 Professional Drive, Suite 150
Roseville, California 95661-3760

LOCATION: The project is located in Section 32, Township 7 North, Range 6 East, 1/4 mile South of Bond Road between Waterman Road and Bradshaw Road, Sacramento County, California. See attached vicinity map.

PROJECT DESCRIPTION: The project involves construction of a culverted road crossing on the upstream end of an emergent marsh drainage mitigation area, to connect the existing north and south sections of Salmon Creek Drive. Approximately 112 cubic yards of concrete, 90 cubic yards of rip-rap, including three 8 X 5 foot box culverts will be used to construct the crossing, impacting approximately 3,135 square feet (0.07 acre) of ephemeral channel.

The Corps of Engineers authorized work in waters for the Tributary Pointe (Formerly Elk Grove Crossing) project in 1996. A road crossing at the proposed crossing site was a part of that project however, the Corps' Nationwide 26 Permit authorization has expired and the total project wetland impact acreage exceeds current nationwide permit thresholds. The Corps is working with the permittee's agent to resolve some outstanding wetland mitigation compliance requirements for that permit. Water Quality Certification for the project, including the road crossing, was issued on April 15, 1996 and subsequently revised on December 12, 1996. The applicant has stated that a streambed alteration agreement application for the road crossing has been submitted to the California Department of Fish and Game.

AREA DESCRIPTION: The road crossing is proposed in an approximately 8 foot wide channelized ephemeral drainage which eventually drains into Laguna Creek. The immediate upland area consists of non-native annual grassland including soft chess (*Bromus mollis*), perennial rye (*Lolium perenne*), rip-gut brome (*Bromus diandrus*), and winter vetch (*Vicia villosa*). There are no trees or shrubs in the work area.

ADDITIONAL INFORMATION:

Species Surveys

The applicant has stated Miriam Green Associates surveyed the road crossing in April 2001. They determined that there is no suitable habitat for any federally-listed species in the vicinity of the road crossing.

Cultural Resources

Cultural resource investigations were conducted as part of the Environmental Impact Report process. No cultural resources were located in the area of the road crossing.

The District Engineer has made these determinations based on information provided by the applicant and on the Corps' preliminary investigation.

Interested parties are invited to submit written comments on or before **July 28, 2001**. Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

This public notice may also be obtained through our web site at www.spk.usace.army.mil/cespk-co/regulatory/. If additional information is required, please contact the applicant's agent Jim Gibson, with Gibson and Skordal, at (916) 569-1830, the applicant, Craig Nagler, with Bond Road LLC c/o Dunmore Homes, at (916) 771-7500, or Mr. Justin Cutler, at the letterhead address, telephone (916) 557-5258, or e-mail: jcutler@spk.usace.army.mil.

Michael J. Walsh
Colonel, Corps of Engineers
District Engineer

Attachments: (4 Drawings)